

103D CONGRESS
1ST SESSION

S. 833

To amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners, clinical nurse specialists, and certified nurse midwives, to increase the delivery of health services in health professional shortage areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 28 (legislative day, APRIL 19), 1993

Mr. GRASSLEY (for himself and Mr. CONRAD) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners, clinical nurse specialists, and certified nurse midwives, to increase the delivery of health services in health professional shortage areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Primary Care Health
5 Practitioner Incentive Act of 1991".

1 SEC. 2. INCREASED MEDICARE REIMBURSEMENT FOR
2 NURSE PRACTITIONERS, CLINICAL NURSE
3 SPECIALISTS, AND CERTIFIED NURSE MID-
4 WIVES.

5 (a) INCREASED PAYMENT.—

6 (1) NURSE PRACTITIONERS, CLINICAL NURSE
7 SPECIALISTS, AND CERTIFIED NURSE MIDWIVES.—

8 Section 1833(a)(1) of the Social Security Act (42
9 U.S.C. 1395l(a)(1)) is amended—

10 (A) in subparagraph (K), by striking “80
11 percent” and all that follows through “physi-
12 cian)” and inserting “97 percent of the fee
13 schedule amount provided under section 1848
14 for the same service performed by a physician”;
15 and

16 (B) in subparagraph (M) the second place
17 it appears, by striking “80 percent” and all
18 that follows through “(r)(2))” and inserting
19 “97 percent of the fee schedule amount pro-
20 vided under section 1848 for the same service
21 performed by a physician”.

22 (2) NURSE PRACTITIONERS.—Section
23 1842(b)(12)(A)(ii) of the Social Security Act (42
24 U.S.C. 1395u(b)(12)(A)(ii)) is amended—

1 (A) in subclause (I), by striking “65 per-
 2 cent” and inserting “65 percent or in the case
 3 of nurse practitioner services 97 percent”; and

4 (B) in subclause (II), by striking “or for
 5 services” and all that follows through “1848”
 6 and inserting “or in the case of nurse practi-
 7 tioner services 97 percent of the fee schedule
 8 amount specified in section 1848 for the same
 9 service performed by a physician or for physi-
 10 cian assistants the fee schedule amount speci-
 11 fied in such section”.

12 (b) DIRECT PAYMENT FOR NURSE PRACTITIONERS
 13 OR CLINICAL NURSE SPECIALISTS.—Section
 14 1832(a)(2)(B)(iv) of such Act (42 U.S.C.
 15 1395k(a)(2)(B)(iv)) is amended by striking “provided in
 16 a rural area (as defined in section 1880(d)(2)(D))”.

17 (c) BONUS PAYMENT FOR SERVICES PROVIDED IN
 18 HEALTH PROFESSIONAL SHORTAGE AREAS.—Section
 19 1833(m) (42 U.S.C. 1395l(m)) is amended—

20 (1) by inserting “(1)” after “(m)”; and

21 (2) by adding at the end the following new
 22 paragraph:

23 “(2) In the case of services of a nurse practitioner,
 24 clinical nurse specialist or certified nurse midwife fur-
 25 nished to an individual, described in paragraph (1), in an

1 area that is a health professional shortage area as de-
 2 scribed in such paragraph, in addition to the amount oth-
 3 erwise paid under this part, there shall also be paid to
 4 such service provider (or to an employer in the cases de-
 5 scribed in clause (C) of section 1842(b)(6)) (on a monthly
 6 or quarterly basis) from the Federal Supplementary Medi-
 7 cal Trust Fund an amount equal to 10 percent of the pay-
 8 ment amount for the service under this part.”.

9 (d) DEFINITION OF CLINICAL NURSE SPECIALIST
 10 CLARIFIED.—Section 1861(aa)(5) of such Act (42 U.S.C.
 11 1395x(aa)(5)) is amended—

12 (1) by striking “clinical nurse specialist” each
 13 place it appears; and

14 (2) by inserting “(A)” after “(5)” and by add-
 15 ing at the end the following new subparagraph:

16 “(B) The term ‘clinical nurse specialist’ means, for
 17 purposes of this Act, an individual who—

18 “(i) is a registered nurse and is licensed to
 19 practice nursing in the State in which the clinical
 20 nurse specialist services are performed; and

21 “(ii) holds a master’s degree in a defined clini-
 22 cal area of nursing from an accredited educational
 23 institution.”.

1 (e) REMOVAL OF RESTRICTIONS ON SETTINGS.—Sec-
2 tion 1861(s)(2)(K) of such Act (42 U.S.C.
3 1395x(s)(2)(K)) is amended—

4 (1) in clause (ii), by striking “in a skilled” and
5 all that follows through “1919(a))”; and

6 (2) in clause (iii), by striking “in a rural” and
7 all that follows through “(d)(2)(D))”.

8 (f) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to services furnished on or after
10 July 1, 1992.

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